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E-filed 1/15/08**

6 Attorneys for Defendant
7 CHANNING HOUSE

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11
12 SALLY HERRIOT,) CASE NO. C06-06323 JF
13 Plaintiff,)
14 v.) STIPULATION AND [PROPOSED] ORDER
15 CHANNING HOUSE,) CONTINUING DISPOSITIVE MOTION
16 Defendant.) CUT OFF
17)
18) ACTION FILED: October 10, 2006
19) TRIAL DATE: April 18, 2008
20)

21 **TO THIS HONORABLE COURT, PLAINTIFF AND HER ATTORNEYS OF RECORD:**

22 SUBJECT TO COURT APPROVAL, defendant CHANNING HOUSE, and plaintiff
23 SALLY HERRIOT, through its attorneys of records, (collectively, "the Parties") **HEREBY**
24 **STIPULATE AS FOLLOWS:**

25 WHEREAS, on April 20, 2007, this Honorable Court adopted the schedule of the Parties
26 as set forth in the Joint Case Management Statement filed on April 10, 2007. Said schedule set a
deadline for hearings on dispositive motions on January 31, 2008.

27 WHEREAS, the Parties intended to file dispositive motions in this matter on or before
28 December 21, 2007, which would have allowed sufficient notice time to set the hearing on said

1 dispositive motions within the dispositive motion deadline set forth in the Parties Joint Case
2 Management Statement.

3 WHEREAS, defendant CHANNING HOUSE, through its attorneys of record, was
4 informed that no hearing date for dispositive motions was available within the January 31, 2008
5 deadline for hearings on dispositive motions set forth in the Parties Joint Case Management
6 Statement.

7 WHEREAS, defendant CHANNING HOUSE, through its attorneys of record, was
8 informed on December 19, 2007 that the first available date for hearing on dispositive motions in
9 this matter is February 8, 2008.

10
11 Based upon the foregoing, the Parties hereto STIPULATE that, pursuant to this Honorable
12 Court's approval, the deadline for hearing of dispositive motions shall be extended to February 8,
13 2008. The Parties shall notice dispositive motions in accordance with the Court's Local Rules.

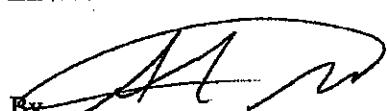
14 The Parties FURTHER STIPULATE that, pursuant to this Honorable Court's approval,
15 opening briefs on dispositive motions shall not exceed 35 pages, which is an increase to the page
16 limit for opening briefs set forth in Local Rule 7-2(b).

17

18

19 DATED: December 20, 2007

LEWIS BRISBOIS BISGAARD & SMITH LLP

20
21 By 
22 Alex A. Graft
23 Attorneys for Defendant
24 CHANNING HOUSE

25 DATED: December 20, 2007

RELMAN & DANE, PLLC

26 By 
27 Michael Allen
28 Attorneys for Plaintiff
SALLY HERRIOT

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ORDER

Having considered the foregoing Stipulation, **IT IS HEREBY ORDERED** as follows:

1. The deadline for hearing on dispositive motions shall be extended to February 8,
2008. The Parties shall notice dispositive motions in accordance with the Court's Local Rules.
2. Opening briefs on dispositive motions shall not exceed 35 pages.

Dated: 1/15/08



Hon. JEREMY FOGEL

1 RE: ***Herriot v. Channing House***
2 VENUE: USDC, Northern District, San Jose Division
3 CASE NO.: C06-06323 JF

3 **CERTIFICATE OF SERVICE**

4 **STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO**

5 I am employed in the County of San Francisco, State of California. I am over
6 the age of 18 and not a party to the within action. My business address is One
7 Sansome Street, Suite 1400, San Francisco, California 94104.

8 On December 20, 2007, I served the following document described as

9 **STIPULATION AND [PROPOSED] ORDER CONTINUING DISPOSITIVE
10 MOTION CUT OFF**

11 on all interested parties in this action by placing a true copy the original
12 thereof enclosed in sealed envelopes addressed as follows:

11 Attorneys for Plaintiff 12 Susan Ann Silverstein 13 AARP Foundation Litigation 14 601 E. Street, NW, Rm. A4-140 15 Washington, DC 20049 16 T: 202/434-2159; F: 202/434-6424 17 Email: Ssilverstein@aarp.org	11 Co-Counsel for Channing House 12 Paul A. Gordon 13 James Napoli 14 Hanson Bridgett Marcus Vlahos & 15 Rudy 16 425 Market Street, 26th Floor 17 San Francisco, CA 94105 18 T: 415/995-5014 19 E-mail: pgordon@hansonbridgett.com 20 T: 415/995-5060 21 E-mail: jnapoli@hansonbridgett.com 22 F: 415/541-9366
11 Attorneys for Plaintiff 12 Michael Allen 13 Relman & Associates LLC 14 1225 19 th Street, NW, Suite 600 15 Washington, DC 20036 16 T: 202/728-1888; F: 202/728-0848 17 Email: mallen@relmanlaw.com	11 Attorneys for Plaintiff 12 Kerstin Arusha 13 Law Foundation of Silicon Valley 14 111 W. St. John Street, Suite 315 15 San Jose, CA 95113 16 T: 408/280-2412; F: 408/293-0106 17 Email: kerstina@lawfoundation.org

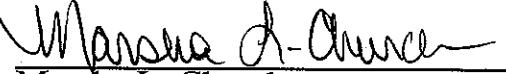
23 (BY MAIL, 1013a, 2015.5 C.C.P.)

24 I deposited such envelope in the mail at San Francisco, California. The
25 envelope was mailed with postage thereon fully prepaid.

26 I am readily familiar with the firm's practice for collection and
27 processing correspondence for mailing. Under that practice, this document will be
28 deposited with the U.S. Postal Service on this date with postage thereon fully
prepaid at San Francisco, California in the ordinary course of business. I am aware
that on motion of the party served, service is presumed invalid if postal cancellation
date or postage meter date is more than one day after date of deposit for mailing in
affidavit.

1 [X] (FEDERAL) I declare that I am employed in the office of a member of the
2 bar of this Court at whose direction the service was made.

3 Executed on December 20, 2007, at San Francisco, California.

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5 Marsha L. Church

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